

Cooperative Monitoring Evaluation and Research Committee
February 21, 2002
9:00 a.m. – 12:00 p.m.
NWIFC Conference Center
Minutes

Attendees:

Pucci, Dawn	Suquamish Tribe
Rowton, Heather	WFPA
Schuett-hames, Dave	NWIFC
Clark, Jeffrey	Weyerhaeuser
Pederson, Pete	Upper Columbia United Tribe
Cramer, Darin	DNR
Bresler, Helen	DOE
Martin, Doug	CMER Co-chair
McNaughton, Geoff	DNR, Adaptive Management Administrator
Jackson, Terry	WDFW
MacCracken, Jim	Longview Fibre
Parks, Dave	DNR
Lippke, Bruce	University of Washington
Glass, Domoni	Consultant
Rowe, Blake	Longview Fibre
Liquori, Mike	Campbell Group
Pavel, Joseph	NWIFC
Mobbs, Mark	Quinault Indian Nation
Sweitzer, Dave	Washington Hardwoods Commission
Poon, Derek	EPA
Dominguez, Larry	DNR
Edson, Scott	Colville Tribes
Baldwin, Todd	Kalispel Tribe
Palmquest, Bob	UPSAG Geomorphologist

The January CMER meeting minutes were approved as submitted.

Budget Update: McNaughton distributed a new and improved spreadsheet that has not changed since the February 8th mailing to SAG co-chairs. There is a positive \$11,000 in the budget and funding for all approved projects looks good. However, there are some things that are not on this sheet, such as the eastside nomograph additional funding need of \$20,000, the CMER website, RFP Advertisement costs, the TFW retreat, a contract amendment of \$5,000 for Joan Sias, and the SFLO cumulative effects project. The SRC contract must be revisited and will go through the UW contracts office. The overhead charge for this year is okay due to less than expected activity and we may actually see money available from this for other services.

The RMZ resample was approved for \$200,000 rather than \$800,000 so it must go back through FFR policy and the Forest Practices Board (FPB). Also, the pilot phase of the Type N/F effectiveness project was approved, but not the entire project so this will be brought to the FPB as well. There are other minor changes as well and McNaughton will approach the FPB and ask for flexibility to approve minor funding changes at CMER rather than waiting for the FPB to meet.

SAG Requests and Updates:

RSAG: RSAG has no CMER action requests. The type N/F effectiveness project has a revised timeline, as the SRC review process has not yet begun.

ISAG: Project one is a resurvey of the last fish points established last year to assist with determining the variability of these points. There are about 180+ terminal points and the bulk of the data are lateral points. ISAG wants to resurvey all terminal points and approximately 20% of the lateral points. In addition, if time allows, ISAG may perform abundance/distribution surveys at approximately 30 terminal sites utilizing at multi-pass rather than single pass electrofishing. Results from this pilot study will inform subsequent variability characterization studies. Due to the pilot nature of this project, no peer review is requested.

Project two is a water typing model field validation study design/field test. A similar effort will be necessary on the eastside. ISAG's first priority for field validation is to compare actual observed points with model predicted points on the west side. No peer review is recommended for this study design/field test but review will be requested for the final study design.

Project three is a fish passage workshop to help ISAG establish the appropriate questions to ask for an effectiveness/validation monitoring program. CMER approved this project at an earlier date and the workshop will likely occur in April or May.

Other updates from ISAG include that the \$140,000 received from general fund federal is being used for GIS support for the eastside model development and for DNR to build the database. The eastside base/training data development project is also close to being contracted. ISAG may be unable to spend/encumber all of the \$223,000 of USFWS funding by the end of FY 2002 and this may free up funding for other projects, per USFWS discretion

CMER approves the above recommendations made by ISAG. Both the eastside resurvey project and the water typing model field validation study design field test should receive no peer review.

UPSAG: Raines said that UPSAG has several issues for CMER to consider: 1) the SOW for the perennial stream 2001 survey work, 2) RFQQ for updating the roads surface erosion model, 3) a draft RFQQ to hire a coordinator to coordinate regional unstable landform identification, and 4) a question regarding how to extend contract announcements for existing contracts requests.

UPSAG has asked CMER to review the SOW for the perennial stream survey work and has received comments only from one individual. UPSAG is now requesting that the SOW be approved, that the contractor be approved and that the SOW receive no peer review. **CMER approves these recommendations made by UPSAG.**

The RFQQ for updating the roads surface erosion model was circulated prior to the meeting and no comments have been received thus far. The purpose of this RFQQ is to clarify definitions and develop a standard spreadsheet to ensure consistent interpretation. In the future, a report will be produced along with a new manual for how to use the model. A separate report, containing the replicability portion, will also be drafted. At this time, UPSAG is requesting that CMER approve the RFQQ as stated. **CMER approves this recommendation made by UPSAG.**

UPSAG submitted a draft RFQQ for a regional landform coordinator. Raines said that UPSAG is still working out the contracting process with McNaughton and Johnson (Contracts administrator). They are not sure of the actual contract format but it will look like what was distributed today. This is a prior approved CMER project and they are trying to move forward with the recommendations in Forests & Fish. Mobbs asked how well the process worked in central. Clark said that it worked fairly well there. Martin asked if this contract could integrate with the mass wasting monitoring program. Raines said that efficiencies can be

built in by looking at this in a larger context and a combing the contracts is under consideration. **CMER approved the RFQQ for a regional landform coordinator as submitted by UPSAG.**

Joan Sias was contracted to further develop the groundwater recharge model. The deliverables were two peer-reviewed papers on the estimation of multi-season evaporation on groundwater transport. The SOW has changed significantly, as has the timeline. As UPSAG assessed this process, they determined that Sias deserves some extra money because of these adjustments to the SOW and timeline. This specific request is for \$4,950.00. Martin suggested that McNaughton be the one to approve these in the future if they are under \$5,000.00. Since this topic involves additional funding, it will be decided later (see below) when all funding decisions are made.

BTSAG: Jackson said that BTSAG is getting the solar radiation study ready for RFP at this time. The top two RFPs/study designs will be brought forward for peer review. Jackson also brought to the attention of CMER that there are some studies that have to go through the tedious 4(d) rule and section 10 permit processes. BTSAG and ISAG have a hard time getting permission to enter the areas where there are endangered fish, thus compromising the ability to gather adequate data for robust models. Since both NMFS and USFWS are in support of these projects (i.e., bull trout sampling efficiency models and last fish habitat model), there should be a way to have an expedited process for ESA permits so that adequate data can be gathered for development and validation of these models. Martin suggested that WDFW take the lead in addressing this issue with NMFS at the policy level.

Jackson also said that BTSAG is running into problems with getting a high enough number of marked fish in low density areas for the sampling efficiency model development. To address this problem, the number of crews will need to be increased for this next field season, with the associated increased funding. Because some of the other BTSAG proposed projects will not be contracted this year, bull trout money is available for this increase. The question arose as to whether bull trout projects, funded by USFWS, needed to go through CMER and policy approval every time additional money might be needed for a project. Policy has already unanimously voted that we should complete the sampling efficiency model development in spite of the additional money needed (as quoted at that time). If too much time is expended getting additional approval, the project may have to be delayed for yet another year. It was agreed that we need to discuss this further with USFWS at a future meeting. In the meantime, Terry will work with Doug and Tim on options for an expedited approval process for this particular project.

WETSAG: Parks said that WETSAG has the RFP for their forested wetlands workshop out for review about one week ago. They are now requesting that CMER approve it. **CMER approved this RFP as submitted.**

LWAG: MacCracken said that LWAG has the two requests that they made last time for the manuscript and the statistics workshop. The total budget request, for the statistics workshop, would be around \$11,000.00. Speakers may need compensation, which would add to the costs. If CMER billed participants, relatively little money would be needed. WFCA will be contracted to do the logistics and we could open it up to outside parties. There was much discussion about who the target audience is, how CMER should contract for this, and what the purposes of the workshop should be. Having day one encompass statistician discussion and day two focus primarily on CMER issues was suggested. Both of these requests will be noted as approved/disapproved below.

SAGE: Pederson said that they are ready to send out the RFP on the eastside nomograph. They will need more money for this in the long run but right now, they are only requesting \$20,000. This request will be noted as approved/disapproved below.

Funding recommendations:

Project	Total Cost	Approved/not approved
GWE-T Model	\$5,000	Approved
Salabanks (LWAG)	\$12,000	Approved
CMER/WFCA Workshop	\$0-11,000	Not approved

(LWAG)		
Nomograph (SAGE)	\$20,000	Approved
Website		Not funded but further exploration is recommended
TFW Retreat ¹	\$0-1,000	Approved

SRC Update and review of SAG requests for technical review needs: McNaughton said this contract will be reworked and will likely need an increase in next years budget to include university overhead and possibly some additional salary. Vogt is presently looking for associate editors (technical experts) to manage SRC reviews in their subject matter. Martin, Lippke, and McNaughton did meet with folks from the university to look at how things have gone so far and some changes will be made based on these meetings. Projects that will need scientific review soon include the type N/F effectiveness design, the solar radiation study design, and the evapotranspiration report (Sias final report). The SRC needs a one-month notification to ensure timely completion of the review process.

Data request and release policy for CMER studies: McNaughton said that a study cooperator has asked to look at early data from a study. On the one hand, this is public data, but on the other hand, the data is preliminary and can be interpreted many ways depending on who is doing the interpreting. McNaughton investigated this and from a legal standpoint you can withhold research data if it will produce public loss or result in private gain. If you can show either of these, you can avoid public disclosure. Martin added that he drafted a proposal about how to deal with this issue and it will be circulated to CMER along with a request for comments. The final draft will become part of the CMER handbook. Discussion with NMFS and EPA is suggested as they face this issue as well. WDFW also has a public disclosure policy. Even though the information is public, SAGs should not freely hand out information. Any data request must go through one funnel. Glass said that there should be an official form that explains the process.

Contracting and RFP advertising concerns

McNaughton sent a detailed memo SAG chairs regarding the early contracting materials. We need to be fair to potential bidders that only see official RFP and must meet response deadlines. A leading cause of DNR contract protests is that one contractor had a RFP longer than another. Furthermore, the DNR system doesn't fit well with cooperative CMER stakeholder approaches, but for now we must follow the law. McNaughton had a meeting scheduled Tues with the DNR Financial Management Division to discuss this issue, but it has been rescheduled.

Possible solutions include:

- Asking potential bidders to leave the room for RFP specifics, but problems remain with full CMER approval and CMER distribution lists
- Seeking closed meeting status like watershed councils
- Appointing SAGs to represent DNR during proposal reviews as is the case with Watershed analysis participants
- Leaning more toward the RFQQ process and getting consultants on board early to cooperatively develop project specifics in an open manner.

How do SAGs address study scope/RFP development and potential conflict of interest among participants and prospective bidders?

¹ This retreat was discussed last year and will focus on the consensus-based process, meeting management and other CMER issues. Comments are currently being taken on a draft agenda and arrangements will be made after an agenda is finalized.

McNaughton said that CMER RFPs currently elicit 1-2 proposals each rather than the 3-4 that are commonly received. This is not necessarily a crisis as the 1-2 proposals that we do get are good ones. Many firms also will not bid if they know a certain person is bidding and likely to receive the contract because a proposal can cost upwards of \$25,000 to produce.

McNaughton has been meeting with firms to promote our program. Thus far, he has approached Foster Wheeler, Parametrix, CDM, Concurrent Technologies, Jones & Stokes, Shapiro, and LGL. McNaughton is stressing the magnitude of this new program, assuring perspective contractors that CMER projects are not wired for universities, and stressing that small projects are commonly a first step to larger ones (lit rev, workshop, pilot, full study).

Key reasons for their disinterest are that DNR has a historically bad reputation, they do not like to see a detailed scope of work in a RFP, and they are concerned about stakeholder review of RFPs. They would prefer to work with CMER early on during project development so that they are not simply executing a rigid plan. Problems could also arise if contractors are not familiar with the CMER cooperative approach and try to “take charge”. Perspective contractors also view a detailed scope of work in a RFP as a “red flag” and assume that this is simply to remain under the guises of the competitive bid rules but maintain the same contractors.

Also (for example), Foster Wheeler only bids on 10% of RFPs because there is plenty of work out there. They carefully review each RFP and often perform a “readiness review” on scope of works. Expect only new or desperate companies to bid on poorly thought out RFPs.

SAGs can improve response by: ensuring realistic budgets, keeping the SOW relatively simple if possible, trying to use the RFQQ process not just for when we know exactly what we want, but also for improving opportunities for early consultant involvement. It is okay to list the desired subject matter experts in the RFP/RFQQ as well.

RFQQ and early consultant involvement may also help reduce conflict of interest issues since project details can be worked out in a more open manner.

Much discussion ensued. Some were supportive of a detailed SOW and others were not. Also, if you advertise with a cost limit on the RFP, it will possibly increase the number of bidders. McNaughton said that DNR prefers to place a dollar amount on the RFP, but Martin suggested that possibly some range would work. Rowe suggests that we come up with a way of removing travel costs from the bid since these costs may only become apparent once the project is underway. Clark asked how the RFQQ process works when the SAGs and CMER have an elaborate process for developing the response for the L-2 questions. RSAG routinely struggles with how to get their proposals into the RFP or RFQQ format. Rowe added that this is supposed to be an open process and if consultants want to participate on their own nickel to understand this, that is helpful. Martin will research the issue further and will bring back more information for further discussion at a later time.

Maintaining our focus on adaptive management, does everything fit into the big picture and what is missing: Martin said that we have not focused on the bigger picture of where all these projects are going. CMER needs to find time somewhere to get a grasp of where we are going. Are we considering all the policy questions that will get us there? This should be done for each major issue. McNaughton said that, from a budget focus, we are 90% committed so we don't have much leeway for changing direction. This speaks to the visionary spending plan as well. The vision is fuzzy and we need to make it clear. People should comment to Doug Martin about this and the topic will be discussed at a future CMER meeting.

Science Topic for March 21st: monitoring design team report. Martin will recruit panel members.

02/21/02 CMER Minutes Continued

The next CMER meeting is March 21st.